

SHAWN RUYBAL,)	Case No. 2:15-cv-00508-GMN-NJK
)	
Plaintiff(s),)	
)	
vs.)	ORDER
)	
LIBERTY MUTUAL FIRE INSURANCE)	
COMPANY, et al.,)	
)	
Defendant(s).)	
)	

First, proposed discovery plans must state the date on which the first defendant answered or otherwise appeared. Local Rule 26-1(e)(1). The discovery plan in this case refers to the answer filed on April 27, 2015, but fails to acknowledge that Defendants filed a motion to dismiss a month earlier on March 27, 2015. *See* Docket No. 5.

Second, proposed discovery plans must state the number of days sought for discovery calculated from the date the first defendant answers or otherwise appears. Local Rule 26-1(e)(1). The parties failed to do so, and instead calculate the discovery period based on the filing of the answer rather than the earlier motion to dismiss. *See* Docket No. 17 at 2.

¹ In addition to the deficiencies outlined herein, the discovery plan was also not timely. *See* Docket No. 16.

1 Third, the presumptively reasonable discovery period is 180 days calculated from the date the
2 first defendant answers or otherwise appears. See Local Rule 26-1(e)(1). When the parties seek a
3 longer discovery period, they must indicate “SPECIAL SCHEDULING REVIEW REQUESTED” on
4 the face of the proposed discovery plan. Local Rule 26-1(d). The parties failed to do so.²

5 Fourth, when a discovery period is sought that is longer than 180 days calculated from the
6 date the first defendant answers or otherwise appears, the parties must provide a statement of the
7 reason(s) why they seek a longer time period. Local Rule 26-1(d). The parties failed to do so.

8 For the reasons discussed more fully above, the parties’ proposed discovery plan is
9 **DENIED**. The parties shall file, no later than May 22, 2015, a proposed discovery plan that
10 complies with the applicable local rules.

11 IT IS SO ORDERED.

12 DATED: May 18, 2015

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14 NANCY J. KOPPE
15 United States Magistrate Judge
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26 ² When the discovery plan conforms to the Local Rules, it is required to include a notation on its
27 face in bold that it is being “SUBMITTED IN COMPLIANCE WITH LR 26-1(e).” Local Rule 26-1(d).
28 The pending discovery plan provides no notation of any kind.